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EXAMINER

BATES, KEVIN T

ART UNIT

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2153

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                      |                                       |  |
|------------------------------|--------------------------------------|---------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/052,284 | <b>Applicant(s)</b><br>SWINTON ET AL. |  |
|                              | <b>Examiner</b><br>KEVIN BATES       | <b>Art Unit</b><br>2153               |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 21-42, 44-61 and 63-70 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-42, 44-61, and 63-70 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

***Response to Amendment***

This Office Action is in response to a communication made on February 19, 2008.

Claims 1-20, 43, and 62 have been cancelled.

Claims 21 and 51 has been amended.

Claims 21-42, 44-61, and 63-70

***Response to Arguments***

Applicant's arguments, see Applicant remarks, filed February 19, 2008, with respect to the rejection(s) of claim(s) 21-42, 44, 46-49, 51-61, 63-65, and 67-70 under 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Zintel.

The applicant was correct in pointing out that it was the UCP that was performing the mapped message translation. The new rejection is based on the idea that the controlled devices only perform the low level messages when changes are made to the state table. It is obvious for a controlled device to have some events or changes that require internal action, but do not result in a change to the state table. That type of event or change would be handled internally, and not send a low level message to the second device.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 21-42, 44, 46-49, 51-61, 63-65, and 67-70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zintel.**

**Regarding claims 21 and 67**, Zintel teaches a media capture device system, the system comprising:

A media capture device with a logical user interface supported at least in part by a second device and hardware components of the second device, where the second device includes a user perceivable interface (Column 6, lines 24 – 37; Column 10, lines 48 – 51; wherein the hardware element is controlling the display on the second computer to create a user-perceivable interface to control the media-capture device);

a module on board the media capture device for determining one or more logical user interface elements of the media capture device that are supported by the second device and that can cause one or more user-perceivable interface elements of the second device to be activated, when the media capture device is coupled with the second device (Column 14, lines 49 – 59; Column 20, lines 17 – 24);

a mapper on-board the media capture device for mapping said at least one high-level message into at least one lower-level message (Column 28, lines 41 – 49; Column 29, lines 4 – 12) for controlling one or more hardware elements controlled by the second device the at least one lower-level message includes implementation specific

information for the one or more hardware elements based on the second device and the event (Column 6, lines 24 – 37; Column 10, lines 48 – 51; wherein the hardware element is controlling the display on the second computer to create a user-perceivable interface to control the media-capture device); and

a module on board the media capture device for communicating said at least one lower-level message to the second device, such that the second device may activate one or more hardware elements; and activate one or more user-perceivable interface elements on the second device that are appropriate for said event that has occurred (Column 29, lines 23 – 29).

Zintel discloses that the only time messages are sent to the UCP's are when there is a change in a row of the device state table (Column 28, lines 41 – 43; Column 2, lines 17 – 24). So when there is a change in the device which causes an update to the state table, then the low level messages are sent to the UCPs.

Zintel does not explicitly indicate a module for generating at least one high-level event message indicating that an event has occurred that is relevant to the media capture device, which does not cause a change to the state table and a low level message to be sent.

It would have been obvious to one of ordinary skill in the art at the time the invention was made that within the controlled device in Zintel, that there can be changes or "events" which do not cause changes to the state table, thus allowing the controlled device to handle those changes locally without reporting them to all the subscribing users.

**Regarding claim 51**, Zintel teaches an interface system allowing a client device to be partially supported by a host device (Column 48, lines 58 – 61), the system comprising:

a module on board the client device for determining one or more logical user interface elements of the media capture device that are supported by the host device and that can cause one or more user-perceivable interface elements of the host device to be activated, when the client device is coupled with the host device (Column 14, lines 49 – 59; Column 20, lines 17 – 24);

a state transition table to the client device transition to a new state based at least one high level event and the client device's present state (Column 8, lines 53 – 60); and

a module to update the client device's current state information (Column 11, lines 18 – 21); and

a mapper for mapping said at least one high-level message into at least one lower-level message (Column 29, lines 4 – 12) for controlling one or more hardware elements controlled by the host device the at least one lower-level message includes implementation specific information for the one or more hardware elements based on the second device and the event and for triggering the activation of one or more user-perceivable interface elements on the host device (Column 6, lines 24 – 37; Column 10, lines 48 – 51; wherein the hardware element is controlling the display on the second computer to create a user-perceivable interface to control the media-capture device).

Zintel discloses that the only time messages are sent to the UCP's are when there is a change in a row of the device state table (Column 28, lines 41 – 43; Column

2, lines 17 – 24). So when there is a change in the device which causes an update to the state table, then the low level messages are sent to the UCPs.

Zintel does not explicitly indicate a module for generating at least one high-level event message indicating that an event has occurred that is relevant to the media capture device, which does not cause a change to the state table and a low level message to be sent.

It would have been obvious to one of ordinary skill in the art at the time the invention was made that within the controlled device in Zintel, that there can be changes or "events" which do not cause changes to the state table, thus allowing the controlled device to handle those changes locally without reporting them to all the subscribing users.

**Regarding claim 22**, Zintel teaches the system of claim 21, wherein said media capture device is temporarily connected to said second device (Column 4, lines 13 – 22).

**Regarding claim 23**, Zintel teaches the system of claim 21, wherein media capture device is permanently connected to said second device (Column 43, lines 51 – 56, wherein the second computer subscribes to all notifications by the media capture device).

**Regarding claim 24**, Zintel teaches the system of claim 21, wherein said media capture device connects to said second device via wireless communication (Column 43, lines 51 – 56).

**Regarding claim 25**, Zintel teaches the system of claim 21, wherein said media capture device connects to said second device via wireline communication (Column 43, lines 51 – 56).

**Regarding claim 26**, Zintel teaches the system of claim 21, wherein said media capture device comprises a client device that is hosted by said second device (Column 4, lines 13 – 22).

**Regarding claim 29**, Zintel teaches the system of claim 21, wherein said media capture device also includes hardware elements capable of being controlled by said at least one lower-level message (Column 48, lines 58 – 61).

**Regarding claim 31**, Zintel teaches the system of claim 21, wherein said at least one high-level message is a logical user interface message indicating a logical user interface manifestation that should occur (Column 6, lines 24 – 37; Column 10, lines 48 – 51).

**Regarding claim 32**, Zintel teaches the system of claim 21, wherein said at least one high-level message itself does not specify activation of particular hardware elements on the second device (Column 28, lines 30 – 37, where event notifications do not specify any hardware elements).

**Regarding claim 33**, Zintel teaches the system of claim 21, wherein said at least one lower-level message does specify activation of one or more particular hardware elements on the second device (Column 28, lines 30 – 37, where event notifications do not specify any hardware elements).

**Regarding claim 34**, Zintel teaches the system of claim 21, wherein said media capture device comprises a client device and wherein said second device comprises a host device to which the client device occasionally connects (Column 5, lines 39 – 48).

**Regarding claims 36 and 68**, Zintel teaches the system of claims 21 and 67, wherein said event comprises a user event (Column 27, lines 24 - 67).

**Regarding claim 37**, Zintel teaches the system of claim 36, wherein said user event comprises user-supplied input (Column 27, lines 24 – 67).

**Regarding claims 38 and 61**, Zintel teaches the system of claims 36 and 60, wherein said user event comprises use activation of an input element (Column 27, lines 24 – 67).

**Regarding claim 39**, Zintel teaches the system of claim 38, wherein said input element comprises an input button (Column 44, lines 33 – 37).

**Regarding claims 40 and 59**, Zintel teaches the system of claims 38 and 58 wherein said input element resides on the client device (Figure 5, elements 320).

**Regarding claims 41 and 60**, Zintel teaches the system of claim 38, wherein said user input element resides on said second device (Column 44, lines 33 – 37).

**Regarding claim 42**, Zintel teaches the system of claim 41, further comprising: a module for transmitting a notification to said first device in response to user activation of said user input element residing on said second device (Column 27, lines 24 – 67).

**Regarding claims 44 and 63**, Zintel teaches the system of claims 21 and 51, wherein said at least one particular hardware element comprises an element capable of generating a display (Column 6, lines 24 – 37; Column 10, lines 48 – 51).

**Regarding claim 46**, Zintel teaches the system of claim 21, wherein said at least one particular hardware element comprises a bitmap display (Column 6, lines 24 – 37; Column 10, lines 48 – 51).

**Regarding claims 52 and 55**, Zintel teaches the system of claim 51, further comprising an event handler for communicating said at least one lower-level message to the second device, such that the second device may activate one or more hardware elements that are appropriate for the event that occurred (Column 6, lines 24 – 37; Column 10, lines 48 – 51; wherein the hardware element is controlling the display on the second computer to create a user-perceivable interface to control the media-capture device).

**Regarding claim 57**, Zintel teaches the system of claim 51, wherein the high-level message is a user interface message designed for display to a user (Column 6, lines 24 – 37; Column 10, lines 48 – 51).

**Regarding claims 27 and 53**, Zintel teaches the system of claims 21 and 51, wherein said first device includes media capture capability (Column 48, lines 58 – 61).

**Regarding claims 30 and 56**, Zintel teaches the system of claims 21 and 51, wherein said at least one high-level message is generated, at least in part, based on a then-current state of the first device (Column 8, lines 53 – 60; Column 11, lines 18 – 21).

**Regarding claims 47 and 64**, Zintel teaches the system of claims 46 and 63, wherein said bitmap display shows an icon in response to receipt at the second device of said at least one lower-level message (Figure 15).

**Regarding claims 48 and 65**, Zintel teaches the system of claims 21 and 51, wherein said at least one particular hardware element comprises an element capable of generating sound (Column 44, lines 43 – 45).

**Regarding claims 58 and 69**, Zintel teaches the system of claims 51 and 68, wherein the event comprises a user event selected from among the following: a user supplied input, a user activation of an input element; a status change (Column 27, lines 24 – 67)..

**Regarding claims 35 and 70**, Zintel teaches the system of claims 21 and 67, wherein said module for generating at least one high-level event message determines a new state that is appropriate for the first device to transition to; and generates at least one high-level message appropriate for indicating the transition to said new state (Column 8, lines 53 – 60; Column 11, lines 18 – 21).

**Regarding claims 28 and 54**, Zintel teaches the system of claims 21 and 51 wherein said second device includes cellular phone capability (Column 6, lines 62).

**Regarding claim 49**, Zintel teaches the system of claim 21.

Zintel does not explicitly indicate that said first device may be embedded within said second device.

Examiner takes Official Notice (see MPEP § 2144.03) that "a plug and play devices, like those found in Zintel may be embedded within a host device".

**Claims 50 and 66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zintel in view of Armga (6390371).**

**Regarding claims 50 and 66**, Zintel teaches the system of claims 21 and 51.

Zintel does not explicitly indicate said module for communicating said at least one lower-level message to the second device employs a configurable table so that the second device itself may be selected from different classes of devices.

Armga teaches a system of using a client computers capabilities and determining how to create a display that will work with a variety of client devices (Abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Armga's teaching in determining what type of display should be used depending on the type and capabilities of the client device in Zintel's system so that the variety of client devices can take full advantage of all the features in the media capture device.

**Claim 45 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zintel in view of Cortjens (5526037).**

**Regarding claim 45**, Zintel teaches the system of claim 21.

Zintel does not explicitly indicate said at least one particular hardware element comprises an LED (light-emitting diode).

Cortjens teaches the system of claim 21, wherein said at least one particular hardware element comprises an LED (light-emitting diode) (Column 12, lines 53 – 67).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Cortjen's teaching of a blinking LED with status updates in order to better alert the user of changes to the controlled device in Zintel.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KEVIN BATES whose telephone number is (571)272-3980. The examiner can normally be reached on 9 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kevin Bates/  
Primary Examiner, Art Unit 2153